

Deputy Directors
MICHAEL D. FORMBY
FRANCIS PAUL KEENO
BRIAN H. SEKIGUCHI
JIRO A. SUMADA

IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

Board of Land and
Natural Resources
State of Hawaii
Honolulu, Hawaii

ISSUANCE OF NON-EXCLUSIVE EASEMENT
IN FAVOR OF HAWAIIAN ELECTRIC COMPANY, INC.
AND HAWAIIAN TELCOM, INC.
HONOLULU INTERNATIONAL AIRPORT

OAHU

REQUEST:

Issuance of a Perpetual Non-Exclusive Easement to Hawaiian Electric Company, Inc. and Hawaiian Telcom, Inc. to construct, reconstruct, operate, maintain, repair and remove vault sites, handholes, pullboxes, and underground wire line and such other appliances and equipment as may be necessary for the transmission and distribution of electricity and/or telecommunications at Honolulu International Airport (HNL).

LEGAL REFERENCE:

Section 171-95, relating to Disposition to governments, governmental agencies, and public utilities, Hawaii Revised Statutes, specifically Subsections 171-95 (a)(2) and 171-95(b)(1).

APPLICANT:

Hawaiian Electric Company, Inc., a Hawaii corporation, and
Hawaiian Telcom Inc., a Hawaii corporation

LOCATION OF LAND:

Easement A for electric and telecommunication line purposes, affecting Lot 23 (011-118) and Lot 24 (011-117) in Favor of Lot 22 (011-119), of the South Ramp Development Subdivision, situated along the easterly side of Palekona Street, Honolulu International Airport at Moanalua, Honolulu, Island of Oahu, State of Hawaii, identified by Tax Map Keys: 1st Division, 1-1-76:17, 18 and 19, as shown delineated on the attached map labeled Exhibit A, and more particularly described in the attached Exhibit B.

EASEMENT AREAS:

Easement A: 1,620 square feet, more or less

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ZONING:

State Land Use District: Urban
City and County of Honolulu: I-2 (Industrial)

CURRENT USE STATUS:

Land presently encumbered by Governor's Executive Order No. 3201, setting aside a portion of Honolulu International Airport under the control and management of the Department of Transportation, Airports Division, State of Hawaii, for Airport Purposes.

LAND TITLE STATUS:

Public Law 88-233 "ceded" land of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES ___ NO X

CHARACTER OF USE:

For the construction, operation, and maintenance of electric and telecommunication lines in favor of Hawaiian Electric Company, Inc. and Hawaiian Telcom Inc.

TERM:

Perpetual non-exclusive easement for utilities.

COMMENCEMENT DATE:

To be determined by the Director of Transportation at a later date.

CONSIDERATION:

Fair Market Value of the subject easement shall be determined and included as part of the Ground lease rent for FEDEX Ground Package System, Inc. (FEDEX) Industrial Land Lease with the Department of Transportation, Airports Division (DOTA).

CHAPTER 343, HRS - ENVIRONMENTAL IMPACT STATMENT:

Pursuant to Section 11-200-8(a), Environmental Impact Statement Rules of the Department of Health, State of Hawaii, this disposition is exempt from requirements regarding preparation of an environmental assessment, negative declaration, or environmental impact statement as required by Chapter 343, Hawaii Revised Statutes, as amended, relating to Environmental Impact Statements, because the proposed action falls within Exemption Class #3, Comprehensive Exemption List for the State of Hawaii, Department of Transportation dated November 15, 2000, as approved by the Environmental Quality Council. Exemption Class #3 covers construction and location of single, new, small facilities or structures and the alteration and modification of same

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and installation of new, small, equipment and facilities and the alteration and modification of same including, but not limited to:

(e) 7. Utility service connection and installation along and across State highway or roads, and in airports and harbors.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO <u> </u>
Registered business name confirmed:	YES <u>X</u>	NO <u> </u>
Good standing confirmed:	YES <u>X</u>	NO <u> </u>

REMARKS:

DOTA has entered into a twenty (20)-year directly negotiated Industrial Land Lease with FEDEX for the development, construction, operation, and maintenance of a small package distribution facility situated on the South Ramp at Honolulu International Airport. FEDEX has requested DOTA provide utility service to the property and said utilities require as easement as shown on attached Exhibit A.

RECOMMENDATION:


That the Board authorizes the Department of Transportation to issue a Perpetual Non-exclusive Easement to HAWAIIAN ELECTRIC COMPANY, INC., a Hawaii corporation, and HAWAIIAN TELCOM, INC., a Hawaii corporation, subject to: (1) terms and conditions herein outlined, which are by reference incorporated herein; (2) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State; and (3) review and approval of the Department of the Attorney General.

Respectfully submitted,



BRENNON T. MORIOKA, Ph.D., P.E.
Director of Transportation

APPROVED FOR SUBMITTAL:



LAURA H. THIELEN
Chairperson and Member

P A L E K O N A S T R E E T

L A G O O N D R I V E

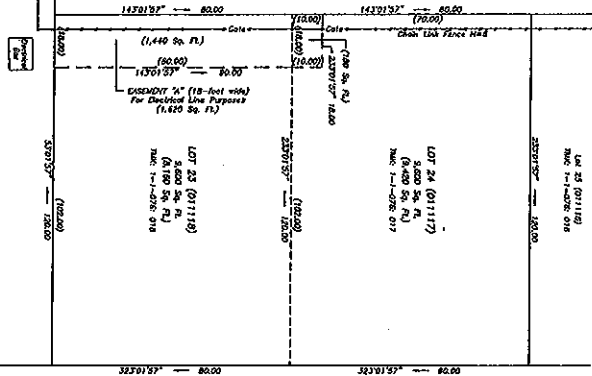
P A L E K O N A S T R E E T

F A R I W A Y 6

(000120)
TMC 1-1-078 001

Lot 22
(011118)
TMC 1-1-078 019

Fuel Building



MAP SHOWING
DESIGNATION OF EASEMENT "A"
FOR ELECTRICAL LINE PURPOSES
AFFECTING LOTS 23 (011118) AND 24 (011117)
IN FAVOR OF LOT 22 (011118)
OF SOUTH RAMP DEVELOPMENT EXTENSION
AT HONOLULU INTERNATIONAL AIRPORT
HONOLULU, HONOLULU, OAHU, HAWAII

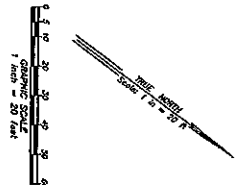


EXHIBIT A

EASEMENT "A"
FOR ELECTRICAL LINE PURPOSES
AFFECTING LOTS 23 (011118) AND 24 (011117)
IN FAVOR OF LOT 22 (011119)
OF THE SOUTH RAMP DEVELOPMENT EXTENSION

Situate at Honolulu International Airport, Moanalua, Honolulu, Oahu, Hawaii

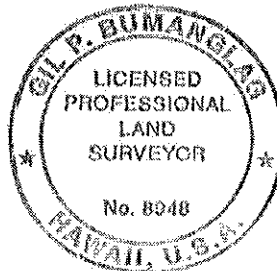
Beginning at a ½" pipe on the easterly side of Palekona Street, along the northwesterly side of Lot 22 (011119), being the southwest corner of Lot 23 (011118) of the South Ramp Development Extension, and thence running by azimuths measured clockwise from True South:

1. 143° 01' 57" 80.00 feet along the easterly side of Palekona Street, along the southwesterly side of Lot 23 (011118) of the South Ramp Development Extension;
2. 143° 01' 57" 10.00 feet along the easterly side of Palekona Street, along the southwesterly side of Lot 24 (011117) of the South Ramp Development Extension;
3. 233° 01' 57" 18.00 feet along the remainder of Lot 24 (011117) of the South Ramp Development Extension;
4. 323° 01' 57" 10.00 feet along the remainder of Lot 24 (011117) of the South Ramp Development Extension;
5. 323° 01' 57" 80.00 feet along the remainder of Lot 23 (011118) of the South Ramp Development Extension;
6. 53° 01' 57" 18.00 feet along the remainder of Lot 23 (011118), along the northwesterly side of Lot 22 (011119) of the South Ramp Development Extension to the point of beginning and containing an area of 1,620 square feet, more or less.

Description prepared by:

GIL SURVEYING SERVICES, inc.

By:



1442 Uila Street
Honolulu, Hawaii
September 17, 2009

GIL P. BUMANGLAG
Licensed Professional Land Surveyor
Certificate Number 8948